

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FRED CORTLAND PROCTOR, *et al.*,

Plaintiffs,

Case No. 07-12414

v.

PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

L. APPLGATE, *et al.*,  
Defendants.

MICHAEL HLUCHANIUK  
UNITED STATES MAGISTRATE JUDGE

---

OPINION AND ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION GRANTING MOTION TO SET ASIDE DEFAULT JUDGMENTS  
AGAINST DEFENDANTS TRETHWAY AND LAJEWSKI-PEARSON

Before the Court is Magistrate Judge Michael Hluchaniuk's Report and Recommendation Granting Motion to Set Aside Clerk's Entry of Default on behalf of Plaintiffs as against Defendants James Trethway and Pam M. Lajewski-Pearson. (Dkt. No. 212.) In recommending that this Court grant Defendants' Motion to Set Aside Default, Magistrate Judge Hluchaniuk also ordered that these Defendants need not answer or otherwise respond to the original complaint filed in this matter in view of this Court's September 30, 2009 Opinion and Order (Dkt. No. 202) severing certain claims and directing Plaintiffs to file amended complaints as to all remaining Defendants in this matter.

Having reviewed that Report and Recommendation, and there being no objections from either party, the Court;

**ADOPTS** the Magistrate Judge's Report and Recommendation GRANTING

Motion to Set Aside Default Against Defendants Trethway and Lajewski-Pearson and ORDERING that these Defendants need not respond to Plaintiffs' original complaint.

**SO ORDERED.**

s/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: November 30, 2009

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on November 30, 2009.

s/Denise Goodine  
Case Manager